

THE DAILY JOURNAL

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NEW BERNE, N. C., FRIDAY, DECEMBER 2, 1887.

PRICE 5 CENTS.

LOCAL NEWS.

Journal Minutiae Almanac.
New Berne, latitude, 35° 5' North,
longitude, 77° 3' West.
Sun rises, 6:33. Length of day,
Sun sets, 4:56. 19 hours, 23 minutes.
Moon rises at 8:41 p. m.

BUSINESS LOCALS.

JUST ARRIVED another lot of Choice
Hams 4 to 6 lbs. Best Pickles,
Preserves, Jelly and Mince Meat at
JNO. DUNN'S.

FINE Stall-Fed Beef at SNELLINGS
this morning. Also, Pork, Sausage
and Corned Hogs Head.

GARRETT'S Medoc Vineyard Cognac
and Wines for sale, at Manufacturer's
prices, by JAMES REDMOND.

REMEMBER—I sell First Class Goods
and warrant them. Refund money
if not satisfactory, and guarantee to sell
the same class of goods CHEAPER
than any house in the city.

THE GROCER, E. B. HACKBURN.

PURE Liquors and Wines for Medical
and other uses, at wholesale,
JAMES REDMOND.

MORTGAGE and Warrantee Deeds
on hand all the time.

A NEW Stock of Oil Stoves and other
House-keeping Goods at
GEO. ALLEN & Co.

DIRECT Importation of French
Brandy and Holland Gin—arrived
in bond and duties paid at Custom
House in New Berne, guaranteeing genu-
ine goods for sale.

JAS REDMOND.

BROWN'S GEORGIA COTTON GINS,
with Self Feeder and Condenser.
All of the latest and most approved pat-
terns.
GEO. ALLEN & Co.

REDMOND'S Ginger Ale, Lemon
Soda, etc., equal to imported.
JAMES REDMOND.

OLD PAPERS in any quantity for
sale at this office.

BUGGIES, McD. Pates' make, for
sale at DAIL BROS'.

Cold weather.

Tickets on sale at Meadows' drug
store at nine o'clock for entertainment
tonight. General admission 50c.; chil-
dren in gallery 15c., adults 25c.

Miss Helen Blythe, in "Only a Wo-
man's Heart," an American actress in
an American play, will appear at the
opera house next Thursday night. She
comes spoken of very highly.

Many sportsmen are arriving in this
section from Northern points. A Fair
in New Berne will bring a large number
who have never been here before. Aid
the committee when they call on you.

The Rose Osborne Dramatic Company
commences a three nights' entertain-
ment at the opera house next Monday
night, opening with "Fortune's Fool."
The company is composed of twenty
persons, accompanied by Whiting's
cornet band and Brown's operatic or-
chestra.

The high stone steps at the theatre
ought to have ballusters. If at any
time there should be a rush from the
building there is no telling how many
necks and limbs would be broken by
tumbling off. It is well to provide
against such a calamity before it hap-
pens.

On account of the great success and
being requested by many friends the
entertainment of Wednesday evening,
where will be a complete change in the
music. Also there will be some change in
the tableaux. Those who did not attend
Wednesday will miss a thing well
worth seeing if they fail to go tonight.
Go, by all means.

Steamer Movements.

The Eagle of the E. C. D. line will
sail this afternoon at 4 o'clock. The
Vesper of this line will arrive this eve-
ning.

Beaufort Superior Court.

**At the present term of Beaufort Su-
perior Court** true bills have been found
in three capital cases. Among them is
the case against W. A. Potts, Jr., and
Mrs. Susan Links for the murder of
Paul Links last June. This case is set
for today.

Mr. Gardner's Card.

We publish elsewhere a card from
Mr. John O. Gardner in which he
severely arraigns Solicitor White for
failing to prosecute a county officer for
dereliction of duty. We were not present
when the case referred to was called
and know not upon what grounds the
Solicitor refused to prosecute.

The Journal has never desired nor
intended to do any public officer an in-
justice. But it must not be forgotten that
they are the servants of the people and
as such are subject to criticism for fail-
ure in performing their duty.

We admit Mr. Gardner's card because
we think it important that the people
should know upon what grounds the
Solicitor refused to prosecute a county
officer for failure to perform an in-
duty. Our

The Superior Court.
Court convened on Thursday morn-
ing at 9:30 o'clock.

The jury in the case of State vs.
Charles Cannon for the larceny of a
watch brought in a verdict of guilty.
No judgment yet.

The work being well up on the State
docket, in fact about disposed of with
the exception of two or three cases, the
two warrant cases were taken up. The
first on the docket was that of the re-
lator Robert Hancock, jr., against
Orlando Hubbs, Register of Deeds. A
motion by the relator's counsel to re-
quire a bond of the defendant for the
forthcoming of the fees of the office be-
fore filing his answer, was denied and
the case taken up on its merits. M.
DeW. Stevenson, L. J. Moore, H. R.
Bryan, Major John Hughes and W. E.
Clarke appear for the relator; Clark &
Clark and H. C. Whitehurst for the de-
fendant.

Every inch of ground is being con-
tested by the defendant. A jury was
secured without much difficulty, but
some time was consumed in fixing upon
the issues to be tried.

A large number of witnesses were ex-
amined and at the close of the testi-
mony court took a recess until this
morning at 9:30 when the argument will
begin.

Railroad Agitation Bearing Fruit.

A gentleman in this city received yes-
terday a letter from a gentleman in
Philadelphia, who is interested in rail-
roads, making inquiries as to the prac-
ticability of constructing a line of rail-
road from New Berne through Vance-
boro to Washington, connecting with
the Jamesville road. The letter was
turned over to C. E. Foy, president of
the East Carolina Land and Railway
Company.

Personal.

**Mr. L. H. Cutler, Mr. T. A. Green and
Mr. J. V. Williams** are attending the
Conference at Fayetteville.

Hon. F. M. Simmons and family left
yesterday morning for Washington,
D. C.

**Mr. Walter Homan, steward of Har-
bor Island Club, is in the city.** He is
expecting five or six members of the
Club down tonight. This is a Club of
wealthy Northern sportsmen who have
invested at Harbor Island, put up build-
ings and have extensive oyster grounds
and gaming facilities. Mr. Homan
says they will send an exhibit to our
Fair.

Mr. Sol. Gornto and Mr. Benj. Ward
of Onslow county are in the city. They
report the outlook as rather favorable
for the county subscription to the rail-
road.

**Mr. Josh Ogden, advance agent of the
Helen Blythe Dramatic Co., was in the
city yesterday** posing bills.

NEWS NOTES.

Ohio politicians are dissatisfied with
their share of federal appointments.

It is thought there will be no trouble
in the organization of the Senate, and
that Messrs. Turpie and Faulkner will
be admitted.

It is said the court-martial in the case
of Lieut. Taunt, of the navy, sentenced
him to dismissal, but recommended
him for clemency.

**Hon. Stevenson Archer and Senator
Gorman** are advocating Baltimore as a
suitable place for holding the next na-
tional democratic convention.

Senator Gorman predicts that a tariff
bill will be passed by Congress during
the coming session. He thinks Speaker
Carlisle should decline a re-election
and assume the democratic leadership
in the House.

The New York Court of Appeals has
ordered a new trial for Jacob Sharp.
It is said that the old man received the
news with perfect indifference. Perhaps
the additional fees which will be re-
quired for a new trial make it a ques-
tion with him if it were not better that
he spend the balance of his days in
prison.

John Most, the New York anarchist,
has been convicted for inciting riot.
When asked, while testifying in his
own behalf, about his past record he
said he had been convicted of treason
in Austria in 1869 and had been im-
prisoned one year. In 1870 he was
again convicted in that country of the
same crime and got a five years' sen-
tence, but gained his liberty in 1871
through an amnesty granted to political
prisoners. In 1872 he was sentenced to
one year's imprisonment in Berlin for
calling the Emperor of Germany a
"slaughterer" and a "murderer." In
1874 he was sentenced to imprisonment
for one year and six months for a
speech made in Berlin on the memorial
day of the Paris commune. In 1875 he
was sentenced in England to six months'
imprisonment for sedition. For sedition
in the United States he was sentenced
in the United States to six months' im-
prisonment in the United States. He was
sentenced in the United States to six
months' imprisonment in the United States.

Mr. Gardner's Card.
We publish elsewhere a card from
Mr. John O. Gardner in which he
severely arraigns Solicitor White for
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when the case referred to was called
and know not upon what grounds the
Solicitor refused to prosecute.

A Card.

New Berne, N. C., Nov. 30, 1887.

To the people of Craven county:
About two years ago D. N. Kilburn,
late county treasurer, was indicted in
two cases for failing and refusing to
post at the court house door a statement
of the receipts and disbursements of
county funds as required by law, and
the cases, after a mistrial, were con-
sidered until Monday the 28th inst.,
when Geo. H. White, solicitor without
even consulting myself and Mr. J. C.
Harrison, the only State witnesses, re-
presented to His Honor, Judge Avery,
now holding the fall term 1887 Craven
Superior Court, that he had examined
the case and found nothing in it to ju-
stify a further prosecution of Mr. Kil-
burn and caused a nol proes to be en-
tered. The statements made by him are
untrue and are a reflection upon the
honesty and character of Mr. Harrison
and myself, the only witnesses on the
part of the State. Instead of perform-
ing the duty of a prosecuting officer
and consulting the State witnesses, he
sets up in open court and defends the
original whom he is sworn to prose-
cute.

It is a notorious fact that D. N. Kil-
burn has, previous to his indictment,
and repeatedly since, failed to publish
his monthly statements of receipts and
disbursements of the county funds com-
ing into his hands as county treasurer,
which he is required to do by law, and
the charges in the two indictments
against him are undisputed facts well
known to many of the people of the
county, and could have been sustained
without doubt. As a taxpayer and citi-
zen of Craven county, I feel interested
in the welfare of its people, and only
desire to have the laws executed and
every officer and person made to obey
the laws. I am not actuated by any
personal malice or spirit against Mr.
Kilburn.

**During the past three years—1884,
1885 and 1886—a very large amount of
taxes have been collected (probably not
less than \$80,000) for schools, building
a new court house and other county
purposes and from the best information
I can obtain there is not to be found any
record as required by law in the office
of the register of deeds of any dis-
bursements showing how this large
amount of your taxes have been paid
out by that officer. The manner in
which Mr. Kilburn's accounts are kept
renders it almost impossible for you
to learn how he has disbursed your
taxes. In defiance of an order of your
county commissioners, he has persist-
ently refused to post his statements.
The laws are ample and sufficient and
all I ask and desire is that this shall be
executed and complied with.**

JOHN O. GARDNER.

New Berne, Nov. 30, 1887.

As one of the State witnesses in the
two cases of State vs. D. N. Kilburn,
County Treasurer, wherein he stands
indicted for failing to post his monthly
accounts of public moneys received by
him as County Treasurer, I can truth-
fully say that neither the former So-
licitor, Mr. J. H. Collins, nor the present
Solicitor, Mr. Geo. H. White, has ever
said anything to, or had any con-
sultation with me in reference to the
merits of the above cases, and that from
my knowledge of the facts, the state-
ments made by Mr. John O. Gardner
in the above communication in reference
to Mr. Kilburn's refusal to publish his
monthly accounts, &c., according to
law, are true, and that there were just
grounds for a prosecution of the cases
by the Solicitor. JAS. C. HARRIS, X.

A Sound Legal Opinion.

**E. Bainbridge Munday, Esq., County
Atty., Clay Co. Tex., says:** "Have used
Electric Bitters with most happy re-
sults. My brother also was very low
with malarial fever and jaundice, but
was cured by timely use of this medi-
cine. Am satisfied Electric Bitters
saved his life."

**Mr. D. I. Wilcoxson of Horse Cave,
Ky., adds a like testimony, saying:** He
positively believes he would have died,
had it not been for Electric Bitters.

This great remedy will ward off, as
well as cure all malarial diseases, and
for all kidney, liver and stomach disor-
ders stands unequalled. Price 50c. and
\$1 at R. N. Duffy's drug store.

A Million a Day.

WASHINGTON, D. C., Nov. 30.—The
revenues of the government from all
sources during the month of November
amounted to about \$80,000,000, being
an average of a little more than a mil-
lion a day. The disbursements during
the month were usually heavy and nearly
equalled the receipts. Over \$18,000,000
was paid out on account of pensions.
It is estimated that the treasury depart-
ment has there been an increase of
nearly a million dollars in the public
debt during November.

Travelers are subject to other dangers
than those of vessel and car. Improper
eating at the various hotels they visit
demands the proper use of that reliable
regulator of the human system, Lax-
ador.

It is not always perfectly safe to
soothe the baby with opium prepara-
tions, but you can rely on Dr. Bull's
Baby Syrup; it contains nothing injur-
ious.

A MAN always feels put out when
he is taken in.

"What is home without a mother?"
Why it is about as comfortable as a mat-
tress in winter time without a bottle
of Dr. Bull's Cough Syrup.

To discontinue or neutralize can be
permanently cured by the use of Salva-
tion Oil. Price 25 cents.

Beckley's Arnica Balm.

The Best Salve in the world for
Cuts, Bruises, Burns, Ulcers, Blisters,
Rheumatism, Sprains, Swellings, Crouped
Throats, Chills, Croup, and all Skin
Diseases, and positively cures them
or no pay required. It is guaranteed
to give relief in all cases, or money re-
turned. Beware of cheap imitations. For
sale at R. N. Duffy's drug store.

SECRETARY LAMAR'S REPORT.

**HOW TWENTY-ONE MILLION ACRES OF
LAND WERE RESCUED FROM THE RAIL-
ROADS.**

WASHINGTON, Nov. 29.—One of the
most important features of Secretary
Lamar's forthcoming annual report is
the part which relates to the adjust-
ments of railroad land grants. In it he
says: "Shortly after my appointment to
the position I now have the honor to
hold I became impressed with the fact
that the public domain was being di-
verted from its legitimate purpose.
Congress had not only made grants
which in some instances exceeded in
extent the area of a half-dozen of the
largest and most popular States of the
Union, but in addition provided that
any losses of lands within the granted
limits should be satisfied by selections
of lands within other and adjoining
limits, thus nearly doubling the area of
the original grants. Under these acts
the land department had withdrawn
from public appropriation not only the
granted limits as required by law, but
also the lands which the indemnity
limits at the request of the grantee
companies. This enormous quantity
of the public land were held in reser-
vation to await the convenience of the
respective corporations in the construc-
tion of their roads, the selection of their
lands and the uncertain adjustment of
the grants by the department. Not-
withstanding these indemnity with-
drawals were made exclusively in the
interests of the companies, few of these,
if any of them, constructed their roads
within the time prescribed in the grant-
ing act, as an express condition on
which the grant was made. Maps of
"probable," "general," "designated" and
"definite" routes of said roads were filed
with rapidity in the department, and
withdrawals thereunder asked and al-
most invariably granted until the pub-
lic land, States and Territories, were
gridironed over with railroad grants
and indemnity limits, and in many in-
stances the limits of one road overlap-
ping and conflicting with other roads
in the most bewildering manner, so that
the settler seeking a home could scarce-
ly find a desirable location that was
not claimed by some one, or perhaps
two or three of the many roads in
which grants of land had been made by
Congress. Nor was this all. Though
the desired tract might not be appar-
ently covered by a railroad location,
the settler would hardly select it before
agents of the corporations would set up
a claim to it, or the right to occupy and
denude it under the right of way and
construction privileges conferred by the
granting act. Thus the settler, ignorant
of his legal rights, and with no one to
advise him with respect to either the
law or the facts, would, for the sake of
peace and a home, readily consent to
purchase from the company. In this
way these corporations, in addition to
the lands granted to them, have
claimed, sold and received the price of
a great deal of land to which they had
neither legal nor moral right, nor the
shadow of either. When lands thus
sold by a company were found to be
outside of the grants and determined
of the department to be public lands,
the purchaser from the company found
himself in the unfortunate predicament
of having lost both his land and his
money.

The Secretary then refers to the case
of Guilford Miller and the steps taken
by the President for his protection and
that of other settlers, and refers to the
passage of the law of March 3, 1887,
whereby the Secretary of the Interior
was "directed to immediately adjust
each of the railroad land grants made
by Congress to aid in the construction
of railroads." The Secretary concluded
that if the department was clothed
with authority to make indemnity with-
drawals, as had been done in so many
instances, the exercise of that authority
was a matter entirely within sound dis-
cretion, and not a matter of legal obli-
gation in any respect, and accordingly
on May 26, 1887, rules were laid upon
the different companies for whose bene-
fit withdrawals had been made to show
cause by a certain day why said with-
drawals should not be revoked. After
the hearing the orders withdrawing the
lands within the indemnity limits and
reserving the same from settlement
were revoked and the lands restored to
the public domain and to settlement in
a large number of cases which are
mentioned by the Secretary. The
amount of land restored to the public
domain through the orders revoking the
indemnity withdrawals is stated by the
commissioner of the general land office
to be 21,330,000 acres. In conclusion
the Secretary urges the necessity of ap-
propriations for the surveys, without
which a complete adjustment of these
railroad grants is not practicable.

Jake Sharp's Case.

NEW YORK, Nov. 30.—It was expected
that an application for the release of
Jacob Sharp on bail would be made
today, but his counsel, Mr. Cochran, ex-
plained that he must await the filing of
a remittitur, which has not yet arrived
from Albany. He expects to secure
Sharp's release tomorrow. The favor-
able decision of the Court of Appeals
seems to have produced little effect on
Sharp. He still does restlessly in his
cell during the greater portion of the
day, partakes of little food and man-
ifests little interests in anything.

Don't Experiment.

You cannot waste time in experi-
menting when your lungs are in dan-
ger. Consumption always seems, at
first, only a cold. Do not permit any
dealer to impose upon you with some
cheap imitation of Dr. King's New Dis-
covery for Consumption, Coughs and
Colds, but be sure you get the genuine.
Because he can make more profit he
may tell you he has something just as
good, or just the same. Don't be de-
ceived, but look upon getting Dr.
King's New Discovery, which is guaran-
teed to give relief in all Throat, Lung
and Chest affections. For sale at R. N.
Duffy's drug store.

COMMERCIAL.

COTTON MARKET.
NEW YORK, Dec. 1—10:20 A. M.—
Futures opened barely steady. Sales of
12,000 bales.

December, 10 92	June, 10 98
January, 10 90	July, 10 98
February, 10 87	August, 11 08
March, 10 74	September, 10 81
April, 10 81	October, 10 81
May, 10 88	November, 10 81

New Berne market steady. Sales of
121 bales at 9 to 9 90.
Edge 16 to 17.
Rice firm at 95 to \$1.00, in sacks.
Corn steady, 47 to 55.
Fodder, 90c. to \$1.00 per hundred.
Seed cotton \$3 00 per hundred.
Turkeys \$1.50 to \$2 00 per pair.

Wanted.

Any person having an old fashioned
Mahogany Side-board or Buffet, and
desiring to sell the same, may find a
purchaser by addressing
121 X. Z. Journal Office.

"IMITATION IS THE SINCEST FLATTERY."

"BELL the JEWELER"

Has returned from Northern Markets
with the

**Largest, Most Complete and
Varied Stock of**

**Watches, Diamonds,
FINE JEWELRY,
STERLING SILVER AND
PLATED WARE**

ever seen in this section. He has no
hesitation in saying he can offer the
best inducements to buyers. del dwif

20 PEOPLE 20

Monday, Dec. 5th.

Miss Rose Osborne,

The Justly Popular California Actress in
her Powerful Creation of

CORALIE LORIOB

IN

FORTUNE'S FOOL.

AN EMOTIONAL 4 ACT DRAMA.

Prof. Chas. W. Whiting's CELE-
BRATED CORNET BAND
Prof. Melville E. Brown's OPERATIC
ORCHESTRA.

A carefully selected company of
Dramatic Artists, making the strongest
combination on the road. In reper-
toire of Standard Dramas and the latest
N. Y. Successes.

STREET PARADE DAILY.
Gen. admission, 50c. Gallery 25c.
Reserved seats without extra charge at
Meadows' drug store.

Sealed Proposals.

NEW BERNE, N. C., Nov. 21st, 1887.
Proposals will be received up to Dec.
5th to put building recently bought by
city in order, to be occupied as Mayor's
office and Police headquarters.

JOHN GREER,
Ch'n of Police Com.

STOP! STOP! STOP!

AT

EATON the JEWELER,

AND SEE THE

Largest and Best Selected

STOCK OF

Watches, Clocks, Jewelry,

SOLID SILVER

AND PLATED WARE,

To be found in Eastern North Carolina.

Come and see me. Don't forget th
place.

SAM. K. EATON,

nov29 dwif Middle street.

W. L. DOUGLAS \$4 SHOE, the origi-
nal and only hand-sewed welt \$4 shoe
in the world, equals custom made hand-
sewed shoes that cost from \$6 to \$8.

W. L. DOUGLAS

\$3 SHOE.

The only \$3 SEWED shoe in the world with
one tick or nail.

Fitted, Cut, perfect fit,
and guaranteed.

Button and Lace, all
styles too. As stylish
and durable as those
costing \$10 or more.

W. L. DOUGLAS,
\$3 Shoe.

W. L. DOUGLAS \$3.50 SHOE is com-
piled for heavy wear. It is sold by your dealer
write W. L. DOUGLAS, Brockton, Mass.

2,400

3 lb. Cans Tomatoes,

—AND—

1,250

Cans Corn, best quality

At TEN Cents a Can.

At Ulrich's.

THE

Anarchists

NECKS WERE PULLED,
AND

High Prices

HAVE MET A SIMILAR FATE AT
THE HANDS OF

H. B. Duffy

Since our last sweeping announce-
ment through the JOURNAL, our store
has been crowded with swarms of
anxious customers, examining our
prices and going away wearing smiling
faces, and carrying dead loads of bar-
gains.

As we promised, Hard Times has been
utterly routed, and our present cry is
for more salesmen and a larger store
for the accommodation of our extensive
trade.

Happy Buyers,
Tired Clerks,
AND

Bewildered
Competitors.

CUSTOMER!

YOU CAN HAVE THE SECRET OF
Fine Goods!

Low Prices!

AND